



Chairman Phil Mendelson

AN AMENDMENT

Bill 21-828, "Metro Safety Commission Interstate Compact Establishment Act of 2016"
(Engrossed version)
December 20, 2016

Amendment: #1

(1) Section 2, Line 250 is amended to read as follows:

250	"32. <u>Action by the Board under Section 31 (c)(5) shall require the unanimous</u>
251	<u>vote of all Members present and voting.</u> The Commission shall coordinate its
252	enforcement activities with appropriate federal and State governmental authorities.

Rationale:

Members of the Virginia General Assembly requested that stronger requirements regarding the application of enforcement actions be added to the bill, to ensure all signatories of the Compact support the action. COG along with MD and DC negotiated a parred down compromise by adding language that would require a unanimous vote only in the instance of **section 2 paragraph 31(c)(5)**, which reads as follows:

"(5) compelling WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System with an appropriate notice period dictated by the circumstances;"

This unanimous vote would **not** be required for any other enforcement action, such as: issuing citations or fines; adopting Corrective Action Plans; entering into contracts; taking legal action; or even removing a specific vehicle, infrastructure element or hazard from the rail system. The unanimous vote would only apply to shutting down or restricting rail service on all or part of the WMATA rail system.

(2) Section 2, Line 296 is amended to read as follows:

286 "A. Annual Safety Report

287 "33. The Commission shall make and publish annually a status report on the
288 safety of the WMATA Rail System, which shall include, among other requirements
289 established by the Commission and federal law, status updates of outstanding Corrective
290 Action Plans, Commission directives, and on-going investigations. A copy of each such
291 report shall be provided to:

292 "(a) the Administrator of the Federal Transit Administration;

293 "(b) the Governor of Virginia, the Governor of Maryland, and the Mayor
294 of the District of Columbia;

295 "(c) the Chair of the DC Council;

296 "(d) the President of the Maryland Senate and the Speaker of the
297 Maryland House of Delegates;

298 "(e) the President of the Virginia Senate and the Speaker of the
299 Virginia House of Delegates; and

300 "(f) the General Manager and each member of the board of directors of
300 WMATA.

Rationale:

Members of the Virginia General Assembly requested leadership from both the Virginia General Assembly and the Maryland General Assembly be included to the list of recipients of the MSC Annual Safety Report.

COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson, Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director



Certified by Jennifer Budoff
Budget Director
Council of the District of Columbia

DATE: December 20, 2016

SHORT TITLE: The Metro Safety Commission Interstate Compact Establishment Act of 2016

TYPE: Amendment

REQUESTING OFFICE: Chairman Phil Mendelson

Conclusion

This amendment will not have an adverse impact on the District's budget and financial plan.

Background

This legislation would require unanimous vote of the Board to compel WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System. This legislation would also add the President of the Maryland Senate and the Speaker of the Maryland House of Delegates and the President of the Virginia Senate and the Speaker of the Virginia House of Delegates to the list of those that are to receive copies of the Commission's annual status report.

Analysis of Impact on Revenue

This amendment will not impact revenue.

Analysis of Impact on Spending

This amendment will not impact spending.



OFFICE OF THE GENERAL COUNSEL

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MEMORANDUM

TO: Chairman Phil Mendelson

FROM: Ellen Efros, General Counsel *EAE*

DATE: December 19, 2016

RE: Legal sufficiency determination for Amendment to Bill
21-828, the Metro Safety Commission Interstate Compact
Establishment Act of 2016

The measure is legally and technically sufficient for Council consideration.

The amendment makes changes to the engrossed version of Bill 21-828, the Metro Safety Commission Interstate Compact Establishment Act of 2016 by:

- Requiring the unanimous vote of all WMATA Board members present and voting to compel WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System.
- Requiring that a copy of the annual safety status report to be made and published by the Commission be provided to the President of the Maryland Senate, the Speaker of the Maryland House of Delegates, the President of the Virginia Senate, and the Speaker of the Virginia House of Delegates.

I am available if you have any questions.